

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

BILLY JOVAN SAIZ,

Case No. 2:23-cv-01228-ART-BNW

Petitioner,

ORDER

v.

BRIAN E. WILLIAMS, SR.,

Respondents.

*Pro se* Petitioner Billy Jovan Saiz has filed a Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254. (ECF No. 1-1 (“Petition”).) Saiz has not properly commenced this habeas action by either paying the standard \$5.00 filing fee or filing an application for leave to proceed *in forma pauperis* (“IFP”). Pursuant to 28 U.S.C. § 1914(a) and the Judicial Conference Schedule of Fees, a \$5.00 filing fee is required to initiate a habeas action in a federal district court. The court may authorize an indigent prisoner to begin a habeas action without paying the \$5 fee if he or she submits an IFP application on the approved form and includes three specific documents: (a) the prisoner’s financial declaration and acknowledgement showing an inability to prepay fees and costs, (b) a financial certificate signed by the prisoner and an authorized prison official, and (c) a copy of the prisoner’s account statement for the six-month period prior to filing. 28 U.S.C. § 1915(a); LSR 1-1, LSR 1-2. Saiz has 45 days from the date of this order to either pay the \$5 filing fee or submit a complete IFP application with all required documentation.

It is therefore ordered that the initial screening of Petitioner Billy Jovan Saiz’s Petition (ECF No. 1-1) under the Rules Governing Section 2254 Cases is deferred until such time as he has fully complied with this order.


It is further ordered that within 45 days of the date of this order, Saiz must file an IFP application that includes: (a) a financial certificate signed by Saiz and

1 an authorized prison official, (b) a financial declaration and acknowledgement  
2 signed by Saiz, and (c) a copy of Saiz's inmate account statement for the six-  
3 month period prior to filing. Alternatively, Saiz must pay the \$5 filing fee within  
4 45 days. If Saiz decides to pay the filing fee from his inmate account, he must  
5 arrange to have a copy of this order attached to the check for the filing fee.

6 It is further ordered that Saiz's failure to timely comply with this Order will  
7 result in the dismissal of this action without prejudice and without further  
8 advance notice.

9 It is further ordered that the Clerk of Court send Saiz two copies of this  
10 order.

11 DATED THIS 9th day of August 2023.

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14 ANNE R. TRAUM  
15 UNITED STATES DISTRICT JUDGE  
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